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COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM



## Congress of the United States House of Representatives

Washington, DC 20515-0549

December 12, 2017

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DANA POINT OFFICE:

The Honorable Mitch McConnell Senate Majority Leader S-230 United States Capitol Washington, D.C 20510

The Honorable Chuck Schumer Senate Minority Leader S-221 United States Capitol Washington, D.C. 20510 The Honorable Paul Ryan Speaker of the House H-232 United States Capitol Washington, D.C. 20515

The Honorable Nancy Pelosi House Minority Leader H-204 United States Capitol Washington, D.C. 20515

Dear Leader McConnell, Speaker Ryan, Leader Schumer, Leader Pelosi and Conferees,

I write to express serious concerns with the House and Senate passed tax reform proposals which, as written, could leave many constituents in my district facing significant tax increases. As the Conference Committee works toward a final package, I ask that changes be made to ensure that the final plan will bring relief for all of our nation's taxpayers – California residents included.

It's been more than three decades since we've overhauled our tax code. We have a once-in-ageneration opportunity to deliver real reprieve from years of heavy-handed, misguided tax policy that has left millions paying more to their government and getting less in return. We must not squander this moment by passing a bill that does not allow all hard-working taxpayers to see relief.

Done correctly, tax reform has the potential to restore America's global competitiveness, generate widespread economic opportunity, unleash untold levels of job creation, and allow families to keep even more of their hard-earned paychecks. Done poorly, a tax bill would pick winners and losers, and unnecessarily punish some taxpayers to the benefit of others.

As its written today, I fear the bill looks more like the latter than the former.

Californians already endure some of the highest housing costs, the highest state sales taxes, the highest state income taxes, and the highest gas prices in the nation. They've been buried under the weight of high state tax and regulatory burdens which, together, have made it increasingly difficult to get ahead.

Yes, the tax factory known as the California State Legislature is the root cause of the problem. But my constituents did not ask me – or any Republican for that matter – to vote to make their tax burden even worse.

The House and Senate tax reform proposals do not guarantee relief for constituents in my district, and in fact, may result in a net increase in their financial liability to the federal government. Among the plan's deficiencies is the elimination of the State and Local Tax Deduction (SALT) which since the advent of our federal income tax has prevented the double taxation of Americans' income and allowed states to operate as laboratories of experiment as our founders intended. Eliminating this important deduction would be a mistake that would undo years of precedent that, in our federalist system, has said that the federal government may calculate its tax liability only after state and local taxes have first been deducted.

Unlike other states – Wisconsin and Kentucky, for example – California is a donor state, meaning it gets back less from the federal government than it pays in. Without changes to this plan, taxpayers in my state will continue being asked to pay even more only to subsidize benefits for citizens elsewhere.

Furthermore, as devastating wildfires continue to ravage our state, it would be unthinkable to do away with important and much-needed relief for constituents who've lost their homes, property and livelihoods. We must ensure that those who've already lost so much, won't be left without the important relief they need to rebuild and restore their lives. I know Majority Leader McCarthy and others are working diligently to address this concern by the end of the year, but we must ensure disaster relief is not weakened through this tax bill.

I implore the Conference Committee to include these proposals, as many of the cities I represent suggest in the enclosed letters. We have the opportunity to make the tax code work for all Americans. Now, let's get the details right.

MAL

Sincerely,

Darrell Issa

Member of Congress

Enclosures: Letters from California cities in CA-49 regarding tax reform proposals and SALT repeal.

cc: Senator Orrin Hatch Senator Lisa Murkowski Senator Mike Enzi Senator John Cornyn Senator John Thune Senator Rob Portman Senator Tim Scott

Senator Pat Toomey

Senator Ron Wyden

Senator Bernie Sanders

Senator Maria Cantwell

Senator Debbie Stabenow

Senator Robert Menendez

Senator Tom Carper

Senator Patty Murray

Congressman Kevin Brady

Congressman Devin Nunes

Congressman Peter Roskam

Congresswoman Diane Black

Congresswoman Kristi Noem

Congressman Rob Bishop

Congressman Don Young

Congressman Greg Walden

Congressman John Shimkus

Congressman Richard Neal

Congressman Sander Levin

Congressman Lloyd Doggett

Congressman Raul Grijalva

Congresswoman Kathy Castor



## CITY OF OCEANSIDE

November 8, 2017

The Honorable Darrell Issa U.S. House of Representatives 2269 Rayburn House Office Building Washington, DC 20515

**RE: STATE AND LOCAL TAX DEDUCTION (SALT)** 

Dear Congressman Issa,

On behalf of the City of Oceanside, I urge you and your colleagues in Congress to include the continuation of the state and local tax deductions (SALT) as part of the Congress' tax overhaul bill.

While our community appreciates the opportunities and economic growth that tax reform could bring, the federal deduction for state and local taxes is vital to financing and maintaining our infrastructure and creating the kind of community we enjoy living in. As you know, local governments are responsible for building, operating, and maintaining most of the infrastructure in our communities, like water, wastewater, and roads. On average, state and local governments contribute 80% of the cost of infrastructure projects, while the federal government contributes just 20%. Local governments, however, have very limited ways to raise those funds—primarily real property taxes. The SALT deduction supports the way states and localities budget for and provide critical public services and make investments that support infrastructure.

According to a recent report "The Impact of Eliminating the State and Local Tax Deduction" by the Government Finance Officers Association, 34% of California residents use the SALT Deduction averaging \$18,437. If the SALT deduction were eliminated, assuming a 25% marginal tax rate, an average taxpayer in California who currently itemizes SALT would face a tax increase of almost \$5,500. In your congressional district specifically, data shows 35% of residents use the SALT Deduction averaging \$16,524 and if eliminated, these taxpayers would face a tax increase of \$5,776. Eliminating the SALT deduction will subject our shared constituents to double taxation and U.S. taxpayers should not be taxed twice on the same income.

Additionally, the City of Oceanside opposes the elimination of Private Activity Bonds which are used to encourage investment in both business and infrastructure. Elimination would have significant, negative impacts of the State of California, as these monies are used to fund critical infrastructure. If these bonds are eliminated, projects will either not go forward or cities would be forced to borrow at much higher interest rates and job creation will suffer.

We understand that to achieve the goal of tax reform—growing the economy—it is essential to consider the impact any change will have on the bottom lines of cities like Oceanside and other local jurisdictions. Finally, if Private Activity Bonds are eliminated, job creation will slow and deferred infrastructure maintenance will increase.

Sincerely,

Jim Wood MAYOR



December 8, 2017

Honorable Darrel Issa United States House of Representatives 2269 Rayburn House Office Building Washington, DC 20515

Dear Congressman Issa,

On behalf of the City of Carlsbad, I am writing to ask you to preserve the full state and local tax deduction (SALT) in considering H.R. 1, the 2017 Tax Cuts and Jobs Act.

Cities and states currently use the revenues from property, sales and income taxes to budget for and help finance infrastructure projects, local law enforcement, emergency services, education costs, and more. If SALT is eliminated, the net cost of local taxes will go up significantly for our residents, as they will be encumbered by the need to pay federal taxes on the local income and property taxes they are already paying.

This will have negative consequences, creating pressure to reduce local taxes and making it more difficult to pass future tax levies, which are crucial to maintaining essential public services.

Please join the City of Carlsbad in supporting full retention of the SALT deduction.

Sincerely,

Matt Hall Mayor

cc: Carlsbad City Council

Matt Hall

Catherine Hill, League of California Cities



December 8, 2017

## **Dear California Congressional Members:**

As elected officials in the State of California, we write to urge you to consider and adopt the provisions of a proposal submitted by Representatives Lance and Gottheimer to improve the Tax Cuts and Jobs Act (H.R. 1).

While we are grateful that certain key priorities for cities — including the tax exemption for publicly issued municipal bonds — were protected in both versions of the bill, we remain deeply concerned that provisions found in both versions will have tremendous repercussions for cities.

The Lance-Gottheimer proposal offers a bipartisan solution to resolve many of our concerns.

The proposal offers a reasonable balance of pro-growth tax reforms and preservation of the existing pro-growth policies and tools, including the state and local tax (SALT) deduction and bonds. We urge Congress to support this proposal as it would:

- Fully reinstate the state and local tax (SALT) deduction. As currently prescribed in both versions of the bill, eliminating or capping the federal deductibility for state and local property, sales and income taxes would represent double taxation, as these taxes are mandatory payments for all taxpayers. More than 43 million American taxpayers in all 50 states claim this deduction, which is currently the most used deduction by the federal taxpayers. Of these claimants, nearly 87% have an adjusted gross income (AGI) under \$200,000. States and local governments deploy revenues from state and local property, sales and income taxes to help finance local law enforcement, emergency services, education costs, long term infrastructure projects, and many other services.
- Fully protect the tax exemption on Private Activity Bonds (PABs). Tax-exempt private activity bonds ("PABs") represent a critical source of financing for important qualified projects and programs, including infrastructure, affordable housing, economic development, the funding and refinancing of student loans, and much more. PABs help spur private investment and allow state and local governments to harness the private sector's experience and expertise toward public projects and initiatives, and therefore should be preserved and enhanced.

California cities cannot afford the current versions of the Tax Cuts and Jobs Act (H.R. 1) passed by both chambers. We believe that the Lance-Gottheimer proposal is a feat for bipartisanship and a major step in the right direction toward creating a simpler, fairer tax code.

If you have any questions or concerns, please contact us directly or Carolyn Coleman, Executive Director, League of California Cities at 916-658-8200 or <a href="mailto:cocleman@cacities.org">cocleman@cacities.org</a>.

Sincerely,

Mark Kersey

Kevin Faulconer Sam Liccardo

Mayor, City of San Diego Mayor, City of San Jose

Ed Lee Darrell Steinberg

Mayor, City of San Francisco Mayor, City of Sacramento

Robert Garcia Libby Schaaf

Mayor, City of Long Beach Mayor, City of Oakland

Tom Tait Rusty Bailey

Mayor, City of Anaheim Mayor, City of Riverside

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Francisco

Council President Pro Tem, City of San Jan Arbuckle

Diego Council Member, City of Grass Valley

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Vice Mayor, City of Albany Mayor, City of Albany

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Council Member, City of American Canyon Council Member, City of American Canyon

Mark Joseph Barb Stanton

Council Member, City of American Canyon Council Member, Town of Apple Valley

Scott Nassif

Mayor, Town of Apple Valley

Ali Sajjad Taj

Mayor, City of Artesia

Tony Lima

Council Member, City of Artesia

Miguel Canales

Council Member, City of Artesia

Jose Gurrola

Mayor, City of Arvin

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Council Member, City of Avalon

Oley Olsen

Mayor Pro Tem, City of Avalon

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Mayor Pro Tem, City of Banning

Nancy Carroll

Council Member, City of Beaumont

Pedro Aceituno

Council Member, City of Bell Gardens

Juan Garza

Council Member, City of Bellflower

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Mayor, City of Belmont

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Council Member, City of Belvedere

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Vice Mayor, City of Belvedere

James Campbell

Council Member, City of Belvedere

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Mayor, City of Benicia

Lorie Tinfow

City Manager, City of Benicia

Jesse Arreguin

Mayor, City of Berkeley

Lili Bosse

Mayor, City of Beverly Hills

Douglas Arnold

Vice Mayor, City of Biggs

Gustavo "Gus" Vina

City Manager, City of Brentwood

Robert "Bob" Taylor

Mayor, City of Brentwood

Chris Canning

Mayor, City of Calistoga

Elizabeth Gibbons, AIA

Council Member, City of Campbell

Vicki Warren

Mayor, City of Canyon Lake

Dawn Haggerty

Council Member, City of Canyon Lake

Kristin Petersen

Council Member, City of Capitola

Jacques Bertrand

Council Member, City of Capitola

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Mayor, City of Carmel-by-the-Sea

Cedric Hicks, Sr.

Council Member, City of Carson

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Council Member, City of Cathedral City

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Mayor, City of Chula Vista

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Mayor, City of Citrus Heights

Steve Miller

Vice Mayor, City of Citrus Heights

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Mayor, City of Claremont

Opanyi Nasiali

Mayor Pro Tem, City of Claremont

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Council Member, City of Claremont

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Council Member, City of Claremont

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Mayor, City of Clayton

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Council Member, City of Cloverdale

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Council Member, City of Cloverdale

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Council Member, City of Compton

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Mayor, City of Crescent City

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Vice Mayor, City of Cudahy

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Mayor, City of Culver City

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Mayor, City of Danville

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Council Member, City of Danville

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Council Member, City of Danville

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Council Member, City of Danville

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Mayor, City of Del Mar

Grace Vallejo

Mayor, City of Delano

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Mayor, City of Downey

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Council Member, City of Downey

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Council Member, City of Dublin

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Mayor, City of Dublin

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Council Member, City of El Cerrito

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Mayor Pro Tem, City of Escalon

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Council Member, City of Hemet Mayor Pro Tem, City of Lakeport

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Mayor, City of Hermosa Beach Council Member, City of Lakeport

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Council Member, City of Hughson Council Member, City of Lakeport

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Council Member, City of Huntington Beach Council Member, City of Lakeport

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Mayor, City of Lakewood

Rey Leon Steve Croft

Mayor, City of Huron Vice Mayor, City of Lakewood

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Mayor, City of Indio Council Member, City of Lakewood

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Vice Mayor, City of Ione Council Member, City of Lakewood

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Mayor, City of King City Council Member, City of Lakewood

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Mayor, City of Kingsburg

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Council Member, City of Larkspur

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Council Member, City of Madera

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Council Member, City of Mt. Shasta

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Mayor, City of Newark

Michael Hannon

Council Member, City of Newark

Sucy Collazo

Council Member, City of Newark

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Council Member, City of Newark

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Vice Mayor, City of Newark

Berwin Hanna

Council Member, City of Norco

Denise Athas

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Council Member, City of Novato

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Council Member, City of Novato

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Council Member At-Large, City of Oakland

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Mayor, City of Oakley

Jim Wood

Mayor, City of Oceanside

Paul Leon

Mayor, City of Ontario

Victor Lopez

Mayor, City of Orange Cove

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Council Member, City of Orinda

Amy Worth

Mayor, City of Orinda

Bruce Roundy

Vice Mayor, City of Orland

Carmen Ramirez

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Kathleen Kelly

Council Member, City of Palm Desert

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Mayor, City of Palmdale

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Mayor Pro Tem, City of Palmdale

Jennifer King

Council Member, City of Palos Verdes

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Mayor, City of Pinole

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Council Member, City of Pleasanton

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Council Member, City of Pleasanton

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Vice Mayor, City of Pleasanton

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Council Member, City of Portola Valley

Dennis Michael

Mayor, City of Rancho Cucamonga

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Council Member, City of Redondo Beach

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Council Member, City of Redwood City

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Tom Butt

Mayor, City of Richmond

Don Roos

Council Member, City of Rio Vista

Dean Uecker

Mayor, City of Ripon

Leo Zuber

Council Member, City of Ripon

Cal Campbell

Council Member, City of Riverbank

Gina Belforte

Council Member, City of Rohnert Park

Velveth Schmitz

Council Member, City of Rolling Hills

Estates

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Mayor, City of Rolling Hills Estates

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Mayor, City of Roseville

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Mayor, City of Salinas

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Council Member, Town of San Anselmo

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Council Member, Town of San Anselmo

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Council Member, City of San Carlos

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Council Member, City of San Diego

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Council President, City of San Diego

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Council Member, City of San Gabriel

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Council Member, City of San Gabriel

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Council Member, City of San Leandro

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Council Member, City of San Marino

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Mayor, City of San Mateo

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Council Member, City of San Rafael

Phil O'Loane

Vice Mayor, City of San Ramon

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Mayor, City of Sand City

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Council Member, City of Sanger

David Terrazas

Mayor, City of Santa Cruz

Ted Winterer

Mayor, City of Santa Monica

Chris Coursey

Mayor, City of Santa Rosa

Julie Combs

Council Member, City of Santa Rosa

Emily Lo

Mayor, City of Saratoga

Ray Withy

Mayor, City of Sausalito

Joe Burns

Council Member, City of Sausalito

Joan Cox

Vice Mayor, City of Sausalito

Patrick Slayter

Mayor, City of Sebastopol

Louis Franco

Council Member, City of Selma

Jim Avalos

Mayor, City of Selma

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Mayor Pro Tem, City of Sierra Madre

Larry Forester

Council Member, City of Signal Hill

Lori Woods

Council Member, City of Signal Hill

Ed Wilson

Mayor, City of Signal Hill

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Mayor, City of Sonora

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Denise Diaz

Council Member, City of South Gate

Maria Davila

Mayor, City of South Gate

Alan Galbraith

Mayor, City of St. Helena

Peter White

Vice Mayor, City of St. Helena

Pete Sanchez

Mayor, City of Suisun City

Lori Wilson

Mayor Pro Tem, City of Suisun City

Alice Fredericks

Council Member, Town of Tiburon

Holli Thier

Council Member, Town of Tiburon

Henry Ebinger

Mayor, City of Tulelake

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Bob Link

Vice Mayor, City of Visalia

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Council Member, City of Walnut Creek

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Mayor Pro Tem, City of Walnut Creek

Loella Haskew

Council Member, City of Walnut Creek

Kevin Wilk

Council Member, City of Walnut Creek

Tilo Cortez

Mayor, City of Wasco

Alex Garcia

Council Member, City of Wasco

Mike Van Winkle

Mayor, City of Waterford

Rebecca Garcia

Council Member, City of Watsonville

Oscar Rios

Mayor, City of Watsonville

Ken Palfini

Mayor, City of Weed

Fernando Dutra

Council Member, City of Whittier

Marsha Swanson

Council Member, City of Wildomar

Gerry Gonzalez

Mayor, City of Willits

Gary Hansen

Mayor, City of Willows

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Rudy Mendoza

Mayor, City of Woodlake

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Council Member, City of Woodland

John Dunbar

Mayor, Town of Yountville

Jeff Durham

Council Member, Town of Yountville

Marita Dorenbecher

Vice Mayor, Town of Yountville

Cc:

Mitch McConnell (R-KY) Republican Leader, U.S. Senate

Charles E. Schumer (D-NY) Democratic Leader Chairman of the Conference, U.S. Senate

Paul Ryan (R-WI) Speaker of the House, U.S. House of Representatives

Nancy Pelosi (D-CA) Democratic Leader, U.S House of Representatives

Kamala Harris, U.S. Senator

Dianne Feinstein, U.S. Senator

Irma Esparza Diggs, Senior Executive and Director Federal Advocacy, National League of Cities